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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,173	06/08/2001	Steven Rizzi	000479.00023	5726
22907 7590 02/05/2010 BANNER & WITCOFF, LTD. 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051				
EXAMINER				
JANVIER, JEAN D				
ART UNIT		PAPER NUMBER		
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02/05/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: STEVEN RIZZI and CHRISTIAN BRIDGERS

Application No. 09/876,173
Technology Center 3600

Mailed: February 5, 2010

Before QUITA GOULD *Supervisory Paralegal Specialist*
GOULD, *Supervisory Paralegal Specialist*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on January 11, 2010. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

STATUS OF AFTER FINAL AMENDMENTS

A review of the file finds an After Final Amendment was filed on October 31, 2008 and the record is unclear if the amendment after final has been approved for entry. Clarification of the status of amendment(s) filed subsequent to Final rejection is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) to mail a communication (Advisory Action or other) in order to clarify the record as to the status of the amendment after final; and/or
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

QG/Sc

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